

CASE NO.
CV10739098

D1 CM

SUMMONS NO.
16407544

Rule 4 (B) Ohio

NAKITA L. TERRELL
VS

NATIONAL CREDIT SOLUTIONS, LLC

PLAINTIFF
DEFENDANTRules of Civil
Procedure

SUMMONS

(d02267
CH)NATIONAL CREDIT SOLUTIONS LLC
C/O BRETT EVANS, STAT AGT
3675 EAST I-240 SERVICE ROAD
OKLAHOMA CITY OK 73135-0000

Said answer is required to be served on:



Plaintiff's Attorney

GENE M LIM
THE LEPRI BUILDING

8775 OLDE EIGHT ROAD
NORTHFIELD, OH 44067-0000You have been named defendant in a complaint
(copy attached hereto) filed in Cuyahoga County
Court of Common Pleas, Cuyahoga County Justice
Center, Cleveland, Ohio 44113, by the plaintiff
named herein.You are hereby summoned and required to
answer the complaint within 28 days after service
of this summons upon you, exclusive of the day of
service.Said answer is required to be served on Plaintiff's
Attorney (Address denoted by arrow at left.)Your answer must also be filed with the court
within 3 days after service of said answer on
plaintiff's attorney.If you fail to do so, judgment by default will be
rendered against you for the relief demanded in the
complaint.

Case has been assigned to Judge:

DICK AMROSE
Do not contact judge. Judge's name is given for
attorney's reference only.DATE
Oct 15, 2010

By _____

GERALD E. FUERST
Clerk of the Court of Common Pleas

Deputy



COMPLAINT FILED 10/14/2010



IN THE COURT OF COMMON PLEAS
CUYAHOGA COUNTY, OHIO

NAKITA L. TERRELL)	CASE NO.:
1858 Lakeview Rd.)	
Cleveland, Ohio 44112)	
)	
Plaintiff,)	JUDGE:
)	
vs.)	
)	
NATIONAL CREDIT SOLUTIONS, LLC)	<u>COMPLAINT FOR MONEY</u>
c/o Brett Evans, Statutory Agent)	<u>DAMAGES AND OTHER</u>
3675 East I-240 Service Road)	<u>RELIEF</u>
Oklahoma City, OK 73135)	
)	
Defendant.)	
)	

Now comes Nakita L. Terrell, by and through her undersigned counsel, and for her claims against Defendant states as follows:

FACTS COMMON TO ALL CAUSES OF ACTION

1. Plaintiff, Nakita L. Terrell (the “Plaintiff”), is an individual residing in Cuyahoga County, Ohio.
2. Defendant National Credit Solutions, LLC., is a “debt collector” as defined by the Fair Debt Collection Practices Act (“FDCPA”) (15 USCA §1692, et seq.).
3. Defendant has been, and continues to, supply certain false, misleading and derogatory information to various credit reporting agencies about Plaintiff.

4. Plaintiff has demanded, in writing, that Defendant cease publishing this false and derogatory information to third parties, however, Defendant has failed and refused to cease in these actions.

COUNT I: DEFAMATION

5. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
6. Defendant made false and malicious publications against Plaintiff with an intent to injure Plaintiff's reputation, or to expose her to public contempt, ridicule, shame, or disgrace or to affect her injuriously in her trade, business or profession.
7. Plaintiff has been damaged by Defendant's defamation, and will continue to be damaged, until such matters are fully corrected.
8. Despite notice received by Defendant and from Plaintiff to correct the information being reported and to discontinue such supply of defamatory information, Defendant failed and refused to do so.
9. Defendant's defamation is the cause-in-fact and proximate cause of the damages suffered by Plaintiff, which includes loss of credit, damage to reputation, trade, and business, in addition to further damages set forth at or before the end of this Complaint.

COUNT II: VIOLATIONS OF FAIR CREDIT REPORTING ACT ("FCRA")

10. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.

11. Pursuant to the provisions of the Fair Credit Reporting Act (“FCRA”), Section 1681 et seq., Title 15, U.S.Code, upon notification by Plaintiff to Defendant that certain information it was reporting was inaccurate, Defendant had a duty to investigate such inaccurate reporting of information and to correct any inaccuracies.
12. Defendant willfully and/or negligently failed and/or refused to correct the false and misleading information reported, as set forth above.
13. Based upon the above cited willful and/or negligent violations of the FCRA, Plaintiff seeks damages against Defendant, in an amount set forth at or before the end of this Complaint, in addition to punitive damages and reasonable attorneys’ fees as provided in said Act.

COUNT III: VIOLATION OF FAIR DEBT COLLECTIONS PRACTICES

ACT (“FDCPA”)

14. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
15. Pursuant to the provisions of the Fair Debt Collections Practices Act (“FDCPA”), Section 1692(e)(2), Defendant had a duty to refrain from making false representations concerning the amount or legal status of any debt, or using false information to collect the debt and from collecting any amount unless such amount is expressly permitted by law.
16. Defendant violated the provisions of the FDCPA by intentionally and/or negligently supplying the various credit reporting agencies with the false

information, as set forth above and by attempting to collect a debt not permitted by law.

17. Defendant's conduct in attempting to collect from Plaintiff has further violated the FDCPA.
18. Based upon the above cited willful and/or negligent violations of the FDCPA, Plaintiff seeks damages against Defendant in an amount set forth at or before the end of this Complaint, in addition to punitive damages and attorneys' fees as provided in said Act.

COUNT IV: CONSUMER SALES PROTECTION ACT
(“CSPA”)

19. Plaintiff incorporates each of the preceding paragraphs as if fully set forth herein.
20. By violating the FDCPA, Defendant has violated the Ohio Consumer Sales Practices, Act (“CSPA”). (See *Liggins v. May Company* (1977), 53 Ohio Misc. 21, 373).
21. By violating the FCRA, Defendant has violated the CSPA.
22. As a result of Defendant's violations of the CSPA, Plaintiff is entitled to compensatory damages, treble damages and attorney's fees.

WHEREFORE, Plaintiff prays for judgment against Defendant in the amount of \$15,000.00, and for punitive damages in the amount of \$25,000.00, reimbursement for all reasonable attorneys' fees expended, along with the affirmative relief that Defendant be ordered to immediately act to correct all false, inaccurate, incorrect and misleading information contained within the reports of all credit reporting companies,

in addition to any further relief as this Honorable Court shall find, make, and Order in this Cause, with all Court and Litigation costs of this action to be assessed against Defendant.

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